

**COURTNEY M. GACCIONE, COUNTY COUNSEL
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Attorneys for Defendant, County of Essex**

**By: Handel T. Destinvil, Esq.
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ARIELLE FLETCHER,

Plaintiff,

v.

**GATEWAY GROUP ONE, BENJAMIN
OKOLI, et als.**

Defendants.

**Civil Case No. 2:20-cv-03413 (KSH-
CLW)**

**DEFENDANT, COUNTY OF ESSEX'S NOTICE OF MOTION TO DISMISS
PURSUANT TO *FED. R. CIV. P.* 12(b)(6)**

**TO: Joseph Rakofsky, Esq.
Injury & Accident Law Rakofsky, LLC
P.O. Box 32250
Newark, New Jersey 07102
Counsel for Plaintiff, Arielle Fletcher**

COUNSEL:

PLEASE TAKE NOTICE that the **Defendant, County of Essex (“County”)** will apply to the United States District Court, District of New Jersey at the Frank Lautenberg Post Office & U.S. Courthouse, located at 2 Federal Square, Newark, New Jersey, 07101, on **Tuesday, January 19, 2021**, or as soon thereafter as counsel may be heard, for an Order granting the County’s motion to dismiss the claims against the County.

TAKE FURTHER NOTICE, that the County shall rely upon the annexed Brief and the Certification of Handel T. Destinvil, Esq.; and

TAKE FURTHER NOTICE, that **no oral argument is requested**; and

TAKE FURTHER NOTICE that a proposed form of Order is attached.

COURTNEY M. GACCIONE, COUNTY COUNSEL
OFFICE OF THE ESSEX COUNTY COUNSEL
Attorney for Defendant, County of Essex

By: /s/ Handel T. Destinvil
Handel T. Destinvil, Esq.
Assistant County Counsel

Dated: December 15, 2020

CERTIFICATION OF MAILING AND SERVICE

1. I hereby certify that a copy of the County of Essex Defendants' Notice of Motion, Brief, Certification of Handel T. Destinvil, Esq., and proposed form of order were served this date, via EM/ECF to:

Joseph Rakofsky, Esq., Injury & Accident Law Rakofsky, LLC
Via Electronic Filing: TrialLawyerUSA@gmail.com
Counsel for Plaintiff, Arielle Fletcher

Robert F. Varady, Esq., LaCorte, Bundy, Varady & Kinsella,
Via Electronic Filing: rvarady@lbvklaw.com
Counsel for Defendant, City of Elizabeth

Peter T. Shapiro, Esq., Lewis Brisbois Bisgaard & Smith LLP
Via Electronic Filing: Peter.Shapiro@lewisbrisbois.com
Counsel for Defendant, Gateway Security Inc., d/b/a Gateway Group One

Gary S. Lipshutz, Esq., First Asst. Corporation Counsel, City of Newark Law Dept.
Via Electronic Filing: lipshutzg@ci.newark.nj.us
Counsel for Defendant, City of Newark

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

COURTNEY M. GACCIONE, COUNTY COUNSEL
OFFICE OF THE ESSEX COUNTY COUNSEL
Attorney for Defendant, County of Essex

By: /s/ Handel T. Destinvil
Handel T. Destinvil, Esq.
Assistant County Counsel

Dated: December 15, 2020